



Compliance Made Easy

Since compliance is the ultimate goal of our CUPA's inspection and enforcement program, we want to help you recognize and avoid the most common violations we see in San Bernardino County.

1. BUSINESS EMERGENCY/CONTINGENCY PLAN NOT CURRENT

The Business Emergency/Contingency Plan meets the hazardous materials disclosure requirements of California Health and Safety Code (CHSC) Chapter 6.95 and the hazardous waste requirements of CHSC Chapter 6.5. Facilities must update their plans annually by March 1. Changes to name, address, owner, or inventory information require an update within 30 days of the change. Forms and an example are available from our website: http://www.sbcfire.org/hazmat/forms_guidelines.asp.

2. FAILURE TO REPORT A RELEASE OF HAZARDOUS MATERIALS

Any release or threatened release of a hazardous material requires reporting to the CUPA and to the State Office of Emergency Services. Spills above federal reportable quantities also require notification to the National Response Center. See the Emergency Response Plans & Procedures—Agency Notification (Page 4) of your Business Emergency/Contingency Plan for details.

3. MISLABELED OR UNLABELED CONTAINERS

Hazardous waste containers must be labeled with the following information:

- Words "Hazardous Waste"
- Generator Name and Address
- Hazardous Properties of the Waste
- Composition & Physical State of the Waste
- Accumulation Start Date



4. HAZARDOUS WASTE CONTAINERS NOT CLOSED

To prevent spills, hazardous waste containers must be kept closed, except when adding or removing waste.

SPECIAL NOTE ON USED OIL FILTERS:

Drained used oil filters must be accumulated in containers that are kept closed except when adding or removing waste, and labeled as "Drained Used Oil Filters" with an accumulation start date.

5. EMPTY CONTAINERS NOT PROPERLY MANAGED

Empty containers that previously held a hazardous material must be marked with the date it was emptied and be shipped for recycling, reconditioning, or reclamation of its scrap value; or managed on-site within one year of being emptied. When empty containers are not segregated and clearly identified, they often contribute to other violations.

6. WASTE STORAGE AREAS NOT INSPECTED

Hazardous waste storage areas must be inspected weekly to ensure compliance with standards for container management. This is also an excellent tool to discover and correct violations that could later be written up on an official inspection. A sample Hazardous Waste Weekly Inspection Checklist is available at: http://www.sbcfire.org/hazmat/forms_guidelines.asp.

7. EPA ID NUMBER INACTIVE/INCORRECT

If you generate a hazardous waste, including waste oil or coolant, and have it transported by a licensed hazardous waste hauler for disposal, you must have an active ID number. Every year, generators are sent a questionnaire from the Department of Toxic Substances Control (DTSC) concerning the number of manifests generated by the facility. ***Even if you generated no manifests during the last year and owe no fees, you must return the paperwork or your ID number will be inactivated. If your number gets inactivated, complete Form 1358 and submit to DTSC to reactivate.***

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8. RECORDS NOT AVAILABLE

Hazardous waste receipts, manifests, laboratory profiles, waste determinations, operating logs, and training records must be maintained for three years and made available to inspectors upon request.

9. UNIVERSAL WASTE MANAGED IMPROPERLY

The most common universal wastes are fluorescent light tubes, mercury-containing devices, non-automotive batteries, electronic wastes (computers, copiers, fax machines, printers, televisions, etc.), and non-empty aerosol cans.



Frequent universal waste violations include:

A. Disposing of a Universal Waste into the trash. As a business, you are required to recycle any universal wastes generated onsite. You may opt to have a company pick up your universal waste or you may self-transport your universal waste to a collector or recycler of universal waste. Train your employees to recognize universal wastes. Make sure you ALWAYS get a receipt and keep those records for three years.

B. Not properly containerizing Universal Waste. While onsite, universal waste must be in a container that can hold the contents, be closed, and protected from breakage or leaking. For example: a cardboard box for light tubes, a coffee can with lid for alkaline batteries, a drum for non-empty aerosol cans, or a pallet with CRTs that is shrink-wrapped.

C. Not labeling Universal Waste. Each container with universal waste must be labeled (or marked on) with the type of universal waste, date of accumulation, and name of the generator.



10. COMMON UST VIOLATIONS



A. Failure to properly monitor UST system - Inoperable or improperly positioned sensors, monitoring system alarms silenced, generally poor maintenance of sumps or under dispenser containment (UDC), and failure to respond to liquid in sumps and UDC in a timely manner.

B. Failure to maintain records and monitoring log sheets - Required records include Leak Detection Monitoring and Response Plans, with plot plan attached, Business Emergency/Contingency Plans, Certificates of Financial Responsibility, CUPA application forms, current Designated Operator Statements, all current (for past 12 months) designated operator inspection forms, and copies of current training programs and training documentation for all employees. Remember: Business Emergency/Contingency Plans and Certificates of Financial Responsibility must be updated annually. UST forms are available at http://www.sbcfire.org/hazmat/forms_guidelines.asp.

C. Failure to annually certify monitoring systems - certification is required for all portions of the monitoring system including but not limited to sensors, monitoring panel, line leak detectors, overfill alarms, and automatic tank gauging (ATG) systems used for inventory control.

D. Failure to test secondary containment and spill buckets, or failure to repair or replace failed items and retest within 120 days of original testing.

E. Designated Operators are required for all facilities that have underground storage of any hazardous material. When employing third party designated operators be sure that they are doing a complete inspection of your facility. They are there to keep your facility in compliance by making owners/operators aware of items that are non-compliant. If they fail to actually inspect your site you may falsely believe that you are in compliance with items that they have failed to inspect and violations that they have failed to identify.

For more information, visit our website, <http://www.sbcfire.org/hazmat/index.asp>.